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8
9 IN THE UNITED STATES DISTRICT COURT
10 EASTERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,
12
13 Plaintiff,
14 v.
15 HUU TIEU,
16 Defendant.

CASE NO. 1:20-CR-00109-DAD-BAM
STIPULATION AND ORDER BETWEEN THE
UNITED STATES AND DEFENDANT HUU TIEU

17 **STIPULATION**

18 WHEREAS, the discovery in this case is voluminous and contains personal information
19 including but not limited to medical records, insurance information, and other personal identifying
20 information ("Protected Information"); and

21 WHEREAS, the parties desire to avoid both the necessity of large scale redactions and the
22 unauthorized disclosure or dissemination of Protected Information to anyone not a party to the court
23 proceedings in this matter;

24 The parties agree that entry of a stipulated protective order is appropriate.

25 THEREFORE, defendant, HUU TIEU, by and through his counsel of record ("Defense
26 Counsel"), and plaintiff, the United States of America, by and through its counsel of record, hereby
27 agree and stipulate as follows:

28 1. This Court may enter protective orders pursuant to Rule 16(d) of the Federal Rules of

1 Criminal Procedure, and its general supervisory authority.

2 2. This Order pertains to all discovery provided to or made available to Defense Counsel as
3 part of the discovery in this case (hereafter, collectively known as the “discovery”).

4 3. By signing this Stipulation and Protective Order, Defense Counsel agrees not to share any
5 documents that contain Protected Information with anyone other than Defense Counsel and designated
6 defense investigators and support staff. Defense Counsel may permit the defendant to view un-redacted
7 documents in the presence of Defense Counsel or under the supervision of Defense Counsel. The parties
8 agree that Defense Counsel, defense investigators, and support staff shall not allow the defendant to
9 copy Protected Information contained in the discovery. The parties agree that Defense Counsel, defense
10 investigators, and support staff may provide the defendant with copies of documents from which
11 Protected Information has been redacted.

12 4. The discovery and information therein may be used only in connection with the litigation
13 of this case and for no other purpose. The discovery is now and will forever remain the property of the
14 United States Government. Defense Counsel will return the discovery to the Government or certify that
15 it has been destroyed at the conclusion of the case.

16 5. Defense Counsel will store the discovery in a secure place and will use reasonable care to
17 ensure that it is not disclosed to third persons in violation of this agreement.

18 6. Defense Counsel shall be responsible for advising the defendants, employees, other
19 members of the defense team, and defense witnesses of the contents of this Stipulation and Order.

7. In the event that the defendant substitutes counsel, undersigned Defense Counsel agrees to withhold discovery from new counsel unless and until substituted counsel agrees also to be bound by this Order or the Court modifies this Order regarding such transfer of discovery.

IT IS SO STIPULATED.

Dated: August 10, 2020

McGREGOR W. SCOTT
United States Attorney

/s/ VINCENTE A. TENNERELLI
VINCENTE A. TENNERELLI
Assistant United States Attorney

Dated: July 30, 2020

EDGAR H. SEVILLA

/s/ EDGAR H. SEVILLA
Attorney for Huu TIEU

ORDER

IT IS SO ORDERED.

Dated: August 11, 2020

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE